

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:22-cv-00112-D-RJ

DUSTIN E. GERRY, )  
                        )  
Plaintiff,           )  
v.                    )  
                        )  
KILOLO KIJAKAZI,     )       ORDER  
Acting Commissioner of  
Social Security,     )  
                        )  
Defendant.           )  
\_\_\_\_\_  
)

This matter is before the Court on Plaintiff's Motion for Judgment on the Pleadings and Defendant's Motion for Remand to the Commissioner. Plaintiff, through counsel, consents to Defendant's Motion for Remand to the Commissioner.

For good cause shown, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and remands the case to the Commissioner for further administrative proceedings. See *Shalala v. Schaefer*, 509 U.S. 292 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Upon remand, the Appeals Council will refer Plaintiff's case to an Administrative Law Judge ("ALJ"), who will further evaluate Plaintiff's claim, take any further action to complete the administrative record, and issue a new decision.

The Clerk of the Court is directed to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED. This 9 day of March, 2023.

J. Dever  
JAMES C. DEVER III  
United States District Judge